

Claim listing:

Claims 1-11 (cancelled)

Claim 12 (currently amended)

Claim 13 (previously presented) Claim 13 rewritten in independent form.

Claim 14 (original) elongate slot is deeper than the length of the cylindrical pin.

Claim 15 (cancelled)

### Abstract of the Disclosure

An improved bit assembly for road milling, mining, and trenching equipment includes a streamlined tip assembly that is a combination of conical and cylindrical in shape and devoid of protrusions or annular indentations that might impede the flow of removed material over and around the bit assembly or provide space for removed material to become clogged or imbedded on the tip assembly. The assembly further includes a generally cylindrical spacer that allows a bit removal tool access to the bottom of the assembly to aid in bit removal.

12. (currently amended) A bit assembly for use in road milling equipment of the type including a bit, a bit holder including a first central bore in which a shank of said bit is mounted, and a bit block including a second bore in which said bit holder is mounted, an improvement comprising:

a cylindrical spacer shaped substantially identical to a shape of said shank on said bit, said cylindrical spacer being mountable in said first central bore between a distal end of said bit shank and a bottom end of said bit holder, a bottom of said cylindrical spacer providing indent means for receiving a bit removing tool thereon in close approximation to said bottom of said bit holder for aiding in removing said bit from said bit holder,

said bit holder further includes means in communication with said first central bore for preventing said cylindrical spacer from exiting said first central bore out said bottom of said bit holder.

13. (currently amended) A bit assembly for use in road milling equipment of the type including a bit, a bit holder including a first central bore in which a shank of said bit is mounted, and a bit block including a second bore in which said bit holder is mounted, an improvement comprising:

a cylindrical spacer shaped substantially identical to a shape of said shank on said bit, said cylindrical spacer being mountable in said first central bore between a distal end of said bit shank and a bottom end of said bit holder, a bottom of said cylindrical spacer providing means for receiving a bit removing tool thereon in close approximation to said bottom of said bit holder for aiding in removing said bit from said bit holder,

said bit holder further includes means in communication with said first central bore for preventing said cylindrical spacer from exiting said first central bore out said bottom of said bit holder,

said means for preventing said cylindrical spacer from exiting said first central bore out said bottom of said bit holder including:

an elongate axially oriented slot in communication with a cylindrical sidewall of said cylindrical spacer positioned mediate a top and said bottom thereof,

a radially extending bore through an annular sidewall of said shank on said bit holder, and

a cylindrical pin mounted on said radially extending bore and extending into said elongate axially oriented slot on said

cylindrical spacer for limiting the sliding movement of said cylindrical spacer in said bit holder central bore.

14. (original) The bit assembly in claim 13 wherein said elongate axially oriented slot includes at least a portion thereof having a depth greater than a length of said cylindrical pin for accepting said pin when it is desired to remove said cylindrical spacer from said bit holder central bore.